

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 28, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVIE JUNIOR CORTER (1); and
TAMARA MARIE CORTER (2),

Defendants.

No. 2:22-CR-00163-MKD

ORDER GRANTING UNOPPOSED
MOTION FOR PROTECTIVE
ORDER AND MOTION TO
EXPEDITE; AND PROTECTIVE
ORDER

ECF Nos. 26, 27

Before the Court is the United States' Unopposed Motion for Protective Order, ECF No. 26, and related Motion to Expedite, ECF No. 27. The United States seeks a protective order to protect against dissemination of the certain discovery materials that are sensitive. ECF No. 26 at 1. The United States indicates this sensitive information contains, but is not limited to, military, medical, and bank records, grand jury testimony, social security numbers, dates of birth, addresses, and other personal identifying information of Defendants and witnesses, audio and video records of Defendant Stevie Corter regarding eligibility for benefits from the Veteran's Administration. ECF No. 26 at 2. The United

ORDER GRANTING UNOPPOSED MOTION FOR PROTECTIVE ORDER;
AND PROTECTIVE ORDER – 1

1 States represents the discovery is voluminous and it would be impractical for it to
2 redact all of the sensitive information. ECF No. 26 at 2. It also states, “The
3 protections sought by the United States will not impede the Defendants’ ability to
4 prepare a defense, but merely will protect against the improper dissemination and
5 use of the sensitive information. ECF No. 26 at 2. The United States also
6 represents that should the United States redact the discovery, it would “place [an]
7 undue burden[] on defense counsel in terms of reading and understanding
8 discovery materials.” ECF No. 26 at 2.

9 The Court has reviewed the unopposed motion and the record and is fully
10 informed. The Court finds good cause under Fed. R. Crim. P. 16(d)(1) for a
11 protection order to issue in this matter.

12 **IT IS HEREBY ORDERED:**

- 13 **1. The United States’ Unopposed Motion for Protective Order, ECF No. 26, is**
14 **GRANTED.**
- 15 **2. The United States’ Unopposed Motion to Expedite, ECF No. 27, is**
16 **GRANTED.**

PROTECTIVE ORDER

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2 **1.** The United States is authorized to disclose the discovery in its
3 possession and personal information material (hereinafter “Discovery”) in its
4 possession pursuant to the discovery obligations set forth in the Federal Rules of
5 Criminal Procedure, Local Criminal Rules, prior orders of this Court, and relevant
6 case law.

7 **2.** United States personnel and Defense Counsel shall not provide, or
8 make available, the Discovery to any person except as specified in this Order or by
9 approval from this Court. Therefore, Defense Counsel and the United States shall
10 restrict access to the Discovery shall only disclose the Discovery to respective
11 office staff, investigators, paralegals, necessary third-party vendors, consultants,
12 and/or anticipated fact or expert witnesses to the extent that Defense Counsel
13 believes is necessary to assist in the defense of their client in this matter or that the
14 United States believes is necessary in the investigation and prosecution of this
15 matter.

16 **3.** Third parties contracted by the United States or Defense Counsel to
17 provide expert analysis or testimony may possess and inspect the Discovery, but
18 only as necessary to perform their case-related duties or responsibilities in this
19 matter. At all times, third parties shall be subject to the terms of this Order.
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1 **4.** Discovery in this matter will be made available to Defense Counsel
2 via access to a case file on USA File Exchange, a government-provided USB-drive
3 (to be returned to the United States after successful download) and defense-
4 provided external hard drives due to the volume of material. If necessary, to
5 review discovery with the client, Defense Counsel may download the Discovery
6 and duplicate only once. Discovery materials may not be left in the possession of
7 the Defendant. In order to provide Discovery to a necessary third-party vendor,
8 consultant, and/or anticipated fact or expert witness, Defense Counsel may
9 duplicate the Discovery only once. No other copies shall be made, by Defense
10 Counsel, the Defendant or the third-party, without prior approval from this Court.

11 **5.** To the extent that Defense Counsel makes any portion of the
12 Discovery available in paper format to anyone, including Defendants, outside of
13 counsel's office, Defense Counsel shall ensure that any and all sensitive and
14 confidential information is redacted or removed.

15 **6.** All counsel of record in this matter, including counsel for the United
16 States, shall ensure that any party, including Defendants, that obtains access to the
17 Discovery is provided a copy of this Order. No other party that obtains access to
18 or possession of the Discovery shall retain such access or possession unless
19 authorized by this Order, nor further disseminate the Discovery except as
20 authorized by this Order. Any other party that obtains access to, or possession of,

1 the Discovery shall promptly destroy or return the Discovery once access to or
2 possession of Discovery is no longer necessary. For purposes of this Order, “other
3 party” is any person other than counsel for the United States, Defendant Counsel,
4 or Defendants.

5 **7.** All counsel of record, including counsel for the United States, shall
6 keep a list to identify each person to whom the Discovery is disclosed and who was
7 advised of the requirements of this Order. Neither counsel Defense Counsel, nor
8 the counsel for the United States shall be required to disclose this list of persons
9 unless ordered to do so by the Court.

10 **8.** Upon entry of a final order of the Court in this matter and conclusion
11 of any direct appeals, government personnel and Defense Counsel shall retrieve
12 and destroy all copies of the Discovery, except that counsel and government
13 personnel may maintain copies in their closed files following their customary
14 procedures.

15 **9.** The United States, governmental personnel, or Defense Counsel shall
16 promptly report to the Court any known violations of this Order.

1 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
2 and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals
3 Service.

4 **DATED** December 28, 2022.

5 s/Mary K. Dimke
6 MARY K. DIMKE
7 UNITED STATES DISTRICT JUDGE
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